

REMARKS/ARGUMENTS

Favorable reconsideration of this application is respectfully requested.

Claims 59-116 are pending in this application. Claims 69-77, 90-94, and 105-115 stand withdrawn from consideration. Claims 59-68, 78-83, 85-86, 88-89, 95-98, 100, 102-104, and 116 were rejected under 35 U.S.C. § 101. Claims 59-68, 80, 84, 87, 95-104, and 116 were rejected under 35 U.S.C. § 112, second paragraph. Claims 78, 79, 83, 84, 85, 87, 88, 89, and 116 were rejected under 35 U.S.C. § 102(b) as anticipated by U.S. patent 5,841,437 to Fishkin et al. (herein "Fishkin").

Addressing first the rejection to claims 59-68, 78-83, 85-86, 88-89, 95-98, 100, 102-104, and 116 under 35 U.S.C. § 101, that rejection is traversed by the present response.

Each of the above-noted claims is believed to be clearly directed to statutory subject matter. For example independent claim 59 is directed to a method of classifying a group of data, and such a classification method clearly has a concrete and tangible result. Further, a method (process) is a statutory class of subject matter. The basis for the outstanding rejection as to how the claims are improper as only directed to abstract ideas is not at all explained or understood. The outstanding rejection merely summarily indicates the claims are not proper without any explanation thereof. The claims are also amended by the present response to make clarification that are believed to even further indicate the concrete and tangible operations performed therein.

In view of these foregoing comments, applicants respectfully submit each of the claims is in full compliance with all requirements under 35 U.S.C. § 101.

Addressing now the rejection of claims 59-68, 80, 84, 87, 95-104, and 116 under 35 U.S.C. § 112, second paragraph, that rejection is traversed by the present response. More particularly, the claims are amended by the present response to clarify the language noted as unclear in the Office Action.

First, claim 59 now clarifies how the form of the data division is changed, and also clarifies other terms therein.

With respect to claim 61, the preamble of claim 61 is believed to find clear support in claim 59, lines 5-6, which recites “calculating a first total degree of randomness which is a sum of degrees of randomness...”. That language fully supports the preamble in claim 61.

Claim 63 is amended similarly as in claim 59 noted above and is thereby believed to also address the rejections thereto under 35 U.S.C. § 112, second paragraph.

With respect to claim 65, similarly as in claim 61 noted, claim 63 at lines 5-6 is believed to provide clear support for the preamble in claim 65.

With respect to claim 67, 68, and 80, those claims are amended to clarify the language therein to address the rejection thereto.

With respect to claims 84 and 87, the noted phrase is canceled.

With respect to claim 95, claim 95 is amended by the present response to clarify the language therein. Further, applicants note the language now recited in claim 95 of “extracting M boundary candidates (wherein M is smaller than N) and is used to divide said group of data into a second number of sets smaller than said first number” sets forth a process of extraction. Thus, claim 95 is believed to be clear.

Claim 99 is amended by the present response to delete the objected to language.

With respect to the rejection of claim 102, claim 102 is amended by the present response similarly as in claim 95 noted above, and the amendments thereto are believed to clarify the language therein.

Claim 103 is also amended by the present response to address the objected language, which was noted inadvertently in the Office Action as in claim 104.

In view of these foregoing comments and presently submitted amendments, each of the claims is believed to be in full compliance with all requirements under 35 U.S.C. § 112, second paragraph.

Addressing now the rejection of claims 78, 79, 83, 84, 85, 87, 88, 89, and 116 under 35 U.S.C. § 102(b) as anticipated by Fishkin, that rejection is traversed by the present response.

Initially, applicants note certain of the above-noted claims are amended to make minor clarifications.

Fishkin discloses a method of performing a plurality of filtering operations (i.e. an extraction process) with respect to census data and to visibly display the filtered results. Fishkin discloses that a group of cities (white squares in Figure 5; i.e. a first group of data) scattered two-dimensionally is filtered using various conditions (VOR filters 1060 and 1061 in Figure 6), and a smaller data group meeting each condition (i.e. two second groups of data) is extracted.

The basis for the outstanding rejection relies upon the group of white squares in Figure 5 to correspond to the claimed “first set” of data, and relies in Figures 6A and 6B on a data group shown within the VOR filter 1060 and a data group shown within the VOR filter 1061 to correspond to the claimed “second sets” of data. However, applicants traverse the position that such teachings in Fishkin correspond to the claimed features.

More specifically, if the data group in Figure 5 in Fishkin corresponds to the claimed “first set of data”, the first set of data will only be one set. Also, if the data groups within the filters 1060 and 1061 correspond to the claimed “second sets” of data, the second set will be one set in the case when each of the data groups shown within the filters 1060 and 1061 exist individually, or the second sets will be two sets in the case when the data groups shown within the filters 1060 and 1061 coexist as shown in Figure 6, or finally the second sets will

be three or more sets in the case when a level of filtering is changed. That is, if the process from Figure 5 to Figure 6 of Fishkin shows a data classification method, Fishkin at most discloses that a group of data (as in Figure 5) is first extracted, then two or more groups of data (as shown in Figure 6) that meet certain conditions (e.g. average annular salary or tax) are extracted (or classified) from among the group of data firstly extracted.

In contrast to such an operation in Fishkin, in independent claims 78 and 88 concepts of “a first number of sets” and “a second number of sets” is utilized. In other words, in those claims the concept of “A” sets of data groups (“A” = first number) and a concept of “B” sets of data groups (“B” = second number, and “B” < “A”) are utilized. Further, in claim 78 and 88 firstly data is classified into “A” sets (“A” > “B”), and the whole data are re-classified into “B” sets based on characteristics of each set classified into the “A” sets. As a non-limiting example first a group of data is classified into three sets, and then a group of data as a whole is newly classified into two sets.

Fishkin neither discloses nor suggest such a data classification method as recited in independent claims 78 and 88, and thereby the claims dependent therefrom.


Therefore, applicants respectfully submit each of independent claims 78 and 88, and the claims dependent therefrom, patentably distinguish over the teachings in Fishkin.

In summary, applicants respectfully submit each of the claims as currently written is in full compliance with all requirements under 35 U.S.C. § 101, is in full compliance with all requirements under 35 U.S.C. § 112, and patentably distinguishes over the applied art to Fishkin.

As no other issues are pending in this application, it is respectfully submitted that the present application is now in condition for allowance, and it is hereby respectfully requested that this case be passed to issue.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



Masayasu Mori
Attorney of Record
Registration No. 47,301

Customer Number

22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 06/04)
GJM/SNS:aif

Surinder Sachar
Registration No. 34,423

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